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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA  
THIRD APPELLATE DISTRICT  
(Placer)

THE PEOPLE,  
  
Plaintiff and Respondent,  
  
v.  
  
JUSTIN LEMALL FOSTER,  
  
Defendant and Appellant.

C061543  
  
(Super. Ct. No. 62-  
82376A)

On July 27, 2008, defendant Justin Lemall Foster was an active participant in a criminal street gang, the Morning Mob.<sup>1</sup>

Defendant pleaded guilty to street terrorism. (Pen. Code, § 186.22, subd. (a).)<sup>2</sup> In exchange, four related counts and enhancing allegations were dismissed. He was sentenced to state

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<sup>1</sup> Because the matter was resolved by plea and preparation of a probation report was waived, our statement of facts is taken from the prosecutor's statement of factual basis.

<sup>2</sup> Further statutory references are to the Penal Code.

prison for two years, awarded 195 days' custody credit and 96 days' conduct credit, and ordered to pay a \$200 restitution fine (Pen. Code, § 1202.4) and a \$200 restitution fine suspended unless parole is revoked (Pen. Code, § 1202.45). Defendant's requests for a certificate of probable cause were denied.

We appointed counsel to represent defendant on appeal. Counsel filed an opening brief that sets forth the facts of the case and requests this court to review the record and determine whether there are any arguable issues on appeal. (*People v. Wende* (1979) 25 Cal.3d 436.) Defendant was advised by counsel of the right to file a supplemental brief within 30 days of the date of filing of the opening brief. More than 30 days elapsed, and we received no communication from defendant. Having undertaken an examination of the entire record, we find no arguable error that would result in a disposition more favorable to defendant.

#### DISPOSITION

The judgment is affirmed.

BLEASE, Acting P. J.

We concur:

SIMS, J.

BUTZ, J.